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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/541,314

Filing Date I.A. December 19, 2003

First Named Inventor Stefan EICHHOLZ

Art Unit TBA

Examiner Name TBA

Attorney Docket Number 07130.0003.PCUS00

ENCLOSURES (Check all that apply)☒ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☒ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☒ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please Identify
below):
Combined Declaration and
Power of Attorney; English
version translation of
application; Return
Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Howrey LLP

Signature

Printed name

Michael J. Bell

Date

June 12, 2006

Reg. No.

39,604

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.
www.USCourtForms.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Stefan EICHHOLZ, et al.

Appl. No. 10/541,314

International Filing Date:
December 19, 2003

For: Cabriolet Vehicle

Art Unit: To Be Assigned

Examiner: To Be Assigned

Attorney Docket: 07130.0003.PCUS00

Confirmation No. 8112

**Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States
Designated /Elected Office (DO/EO/US)**

Mail Stop Missing Parts

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

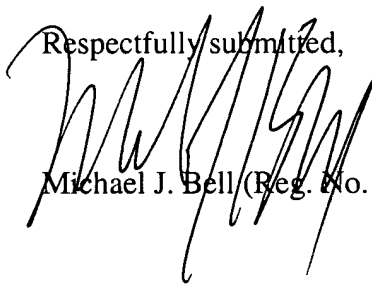
In response to the **Notification of Missing Requirements**, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Petition for Extension of Time under 37 C.F.R. § 1.136;
- ☒ Copy of the Notice to File Missing Parts;
- ☒ A Combined Declaration and Power of Attorney, executed by the inventor;
- [or]
- ☐ An original executed Power of Attorney from Assignee with Delegation;
- ☒ An English Version Translation of Application as Filed with Certification of Translation;
- ☐ Small Entity Status form;
- ☒ Return postcard; and
- ☒ Fee Transmittal form (PTO/SB/17) to cover:

\$ 130.00 Surcharge for late filing of Translation of Application
\$ 130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
\$ 2,160.00 For extension of time fees under 37 C.F.R. § 1.136

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 07130.0003.PCUS00. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing the above docket number. *A duplicate copy of this Response is enclosed.*

Respectfully submitted,



Michael J. Bell (Reg. No. 39,604)

Date: June 12, 2006

HOWREY LLP

Box No. 7

2941 Fairview Park Drive,

Falls Church, VA. 22042-9922

(703) 663-3600

06/15/2006 MKAYPAGH 00000029 083038 10541314

01 FC:1618 130.00 DA
02 FC:1617 130.00 DA

| | | | |
|---|--|---------------------------------|-------------------------|
| <p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2005</h3> | | <p>Complete If Known</p> | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Application Number | 10/541,314 |
| | | Filing Date | December 19., 2003 |
| | | First Named Inventor | Stefan Eichholz, et al. |
| | | Examiner Name | TBA |
| | | Art Unit | TBA |
| <p>TOTAL AMOUNT OF PAYMENT (\$ <u>2420.00</u>)</p> | | Attorney Docket No. | 07130.0003.PCUS00 |

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit Card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify): _____

☒ Deposit Account
 Deposit Account Number: 08-3038
 Deposit Account Name: Howrey Simon Arnolds & White
 Customer No. 22930

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, **except for the filing fee**
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Small Entity Fee (\$) | Small Entity Fee (\$) |
|--|-----------------------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

Total Claims - 20 or HP = _____ x _____ = _____
 HP = highest number of total claims paid for, if greater than 20
Indep. Claims - 3 or HP = _____ x _____ = _____
 HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| _____ | _____ | _____ | _____ | _____ |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late Filing Surcharge (\$130 Decl +\$130 Transl); Extention(\$2,160.00) **\$2420.00**

| | | | |
|--|--|--|---|
| <p>SUBMITTED BY</p> <p>Signature: </p> <p>Name (Print/Type): <u>Michael J. Bell</u></p> | | <p>Registration No. <u>39,604</u> (Attorney/Agent)</p> | <p>Telephone <u>202-783-0800</u></p> <p>Date <u>June 12, 2006</u></p> |
|--|--|--|---|



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|-------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/541,314 | Stefan Eichholz | 07130.0003.PCUS00 |

| |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/DE03/04118

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|

12/19/2003

Howrey Simon Arnold & White
 2941 Fairview Park Drive, Box 7
 Falls Church, VA 22042

CONFIRMATION NO. 8112

371 FORMALITIES LETTER



OC000000017448727

Date Mailed: 11/14/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/30/2005
- Copy of the International Search Report filed on 06/30/2005
- Copy of IPE Report filed on 06/30/2005
- U.S. Basic National Fees filed on 06/30/2005
- Priority Documents filed on 06/30/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|-------------------|
| 10/541,314 | PCT/DE03/04118 | 07130.0003.PCUS00 |

FORM PCT/DO/EO/905 (371 Formalities Notice)



The Legal Translating Service

A Division of Linguistic Systems, Inc.

P.O. Box 390031 • 201 Broadway • Cambridge, Massachusetts 02139 • Telephone 617-528-7400

Certification of Translation

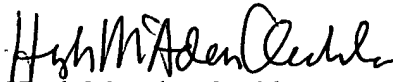
COMMONWEALTH OF MASSACHUSETTS
COUNTY OF MIDDLESEX

On this day of July 12, 2005

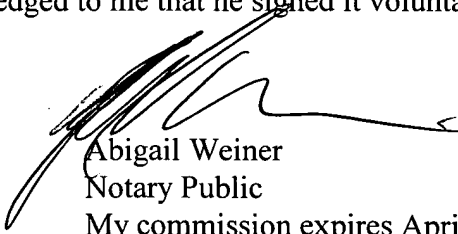
Sally Costello

of The Legal Translating Service, a division of Linguistic Systems, Inc., 201 Broadway, Cambridge, Massachusetts 02139, being duly sworn, declared that the attached translation has been made faithfully of her own knowledge by herself and that the attached translation is a true and correct English version of the original German documents to the best of her knowledge and belief.

Her qualifications as translator include familiarity with English as a native language and with French, German and Russian as acquired languages, and with said languages as languages of instruction and use for more than 10 years, and that she received a Master of Arts degree from the University of Lowell, and that she is employed as a freelance translator by Linguistic Systems, Inc.


Hugh McAden Oechler
Translation Manager

On this, July 12, 2005, before me, the undersigned notary public, personally appeared Hugh McAden Oechler, proved to me through satisfactory evidence of identification, which was personal knowledge of identity, to be the person whose name is signed on this document above, and acknowledged to me that he signed it voluntarily for its stated purpose.


Abigail Weiner
Notary Public

My commission expires April 24, 2009

